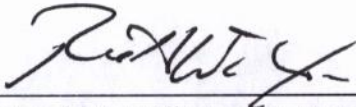


To the Honorable Council
City of Norfolk, Virginia

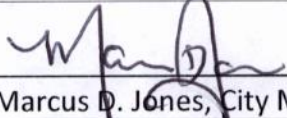
October 27, 2015

From: David L. Ricks, Director of Public Works

Subject: Encroach into the right-of-way at 723 Yarmouth Street with stringers, landing and footings for new entry stairs.

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-1**

- I. **Recommendation:** Adopt Ordinance
- II. **Applicant:** Robert C. Moss and Carter M. Moss
723 Yarmouth Street
Norfolk, Virginia
- III. **Description:**
This agenda item is an ordinance permitting Robert C. Moss and Carter M. Moss to encroach into the right-of-way at 723 Yarmouth Street with stringers, landing and footings for new entry stairs.
- IV. **Analysis:**
This encroachment at this location will allow Robert C. Moss and Carter M. Moss access to their raised home at 723 Yarmouth Street.
- V. **Financial Impact:**
Liability insurance has been provided naming the City of Norfolk ("City") as additional insured in the amount of \$500,000; therefore, there should be no financial risk to the City. The City did not charge a fee for this encroachment.
- VI. **Environmental:**
N/A.

VII. Community Outreach/Notification:

Public notification for this agenda item was conducted through the City's agenda notification process.

VIII. Board/Commission Action:

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. The encroachment was reviewed and recommended by the Architectural Review Board and the City Planning Commission.

IX. Coordination/Outreach:

This letter and ordinance have been coordinated with Department of Public Works, the Department of Planning and Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (3 sheets)

Form and Correctness Approved:

By

Office of the City Attorney

Contents Approved:

By

DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING ROBERT C. MOSS AND CARTER M. MOSS TO ENCROACH INTO THE RIGHT-OF-WAY AT 723 YARMOUTH STREET WITH STRINGERS, LANDING AND FOOTINGS FOR NEW ENTRY STAIRS.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to Robert C. Moss and Carter M. Moss ("Moss") to encroach into the right-of-way at 723 Yarmouth Street two point five seven feet (2.57'), with stringers, landing and footings for new entry stairs, as shown and described on Exhibits A1, A2 and A3, attached hereto, such permission being further subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, Moss, or their successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof, the authority hereby granted shall cease and terminate.
- (3) That Moss, or their successors and assigns, at their own cost and expense, shall take out and keep in full force and effect general liability insurance with a company authorized to do business in the Commonwealth of Virginia, insuring and naming the City of Norfolk ("City") as an additional insured in the amount of at least \$250,000.00 each occurrence and \$500,000.00 general aggregate against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or Moss, and their successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the

installation, maintenance, or existence of said encroaching structures, with evidence of such insurance being filed with the Director of Risk Management for the City.

- (4) That the City shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the right-of-way at 723 Yarmouth Street.

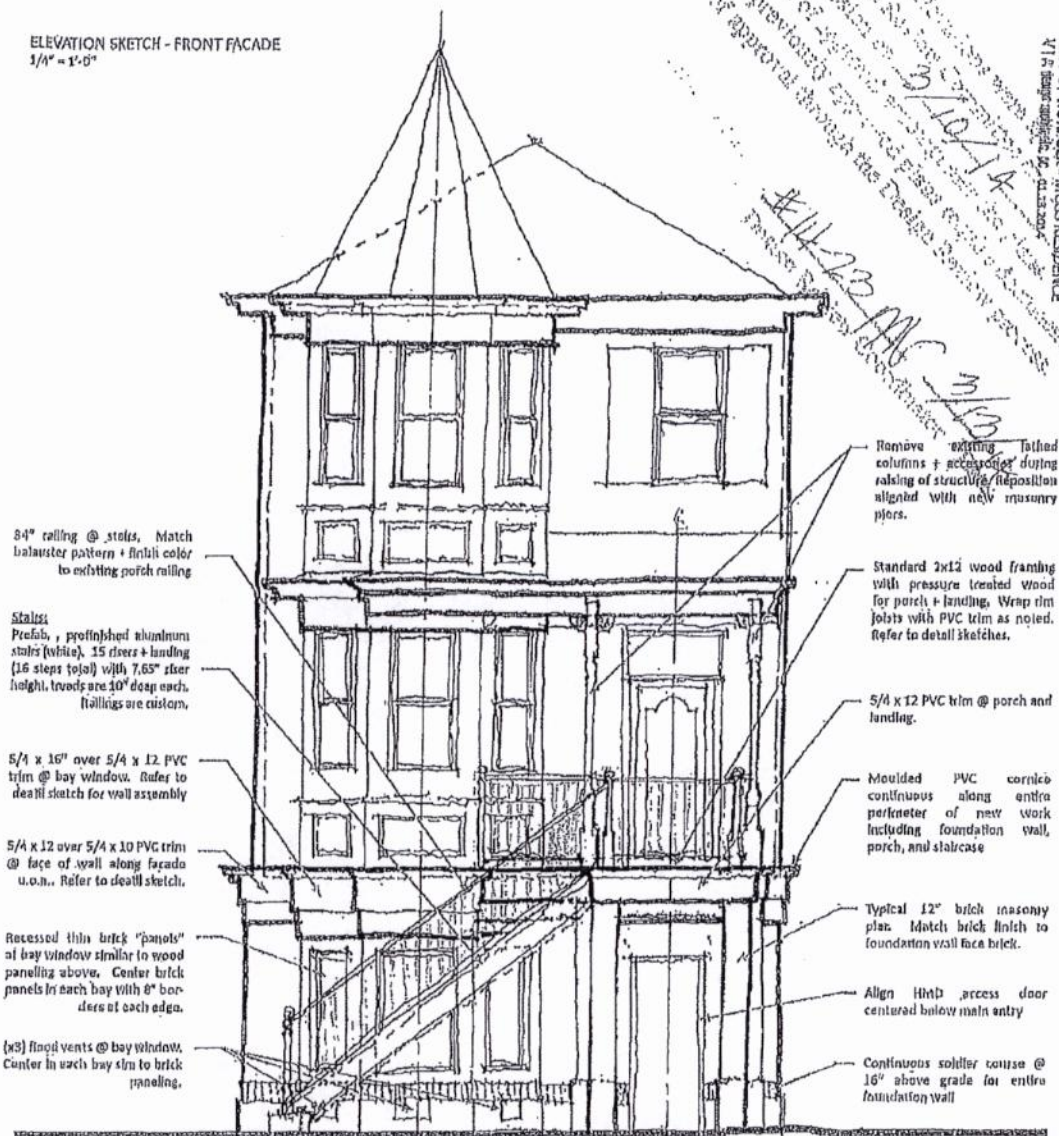
Section 2:- That the failure of Moss, or their successors and assigns, to fully comply with all requirements and conditions set forth herein shall act as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by Moss, and its successors and assigns, of all conditions to which the permissions herein are granted.

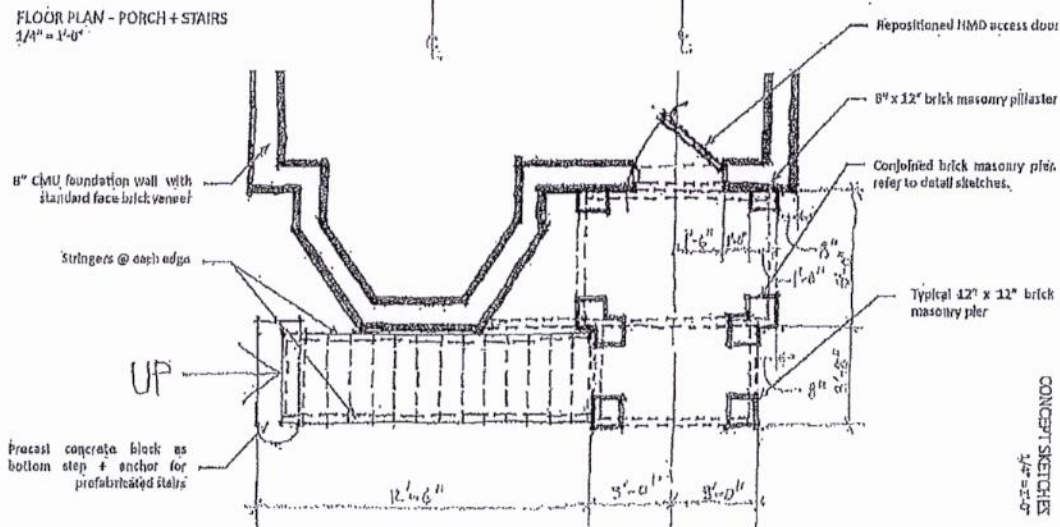
Section 4:- That this ordinance shall be in effect from and after its adoption.

EXHIBIT A1 TO ORDINANCE

ELEVATION SKETCH - FRONT FACADE
1/4" = 1'-0"



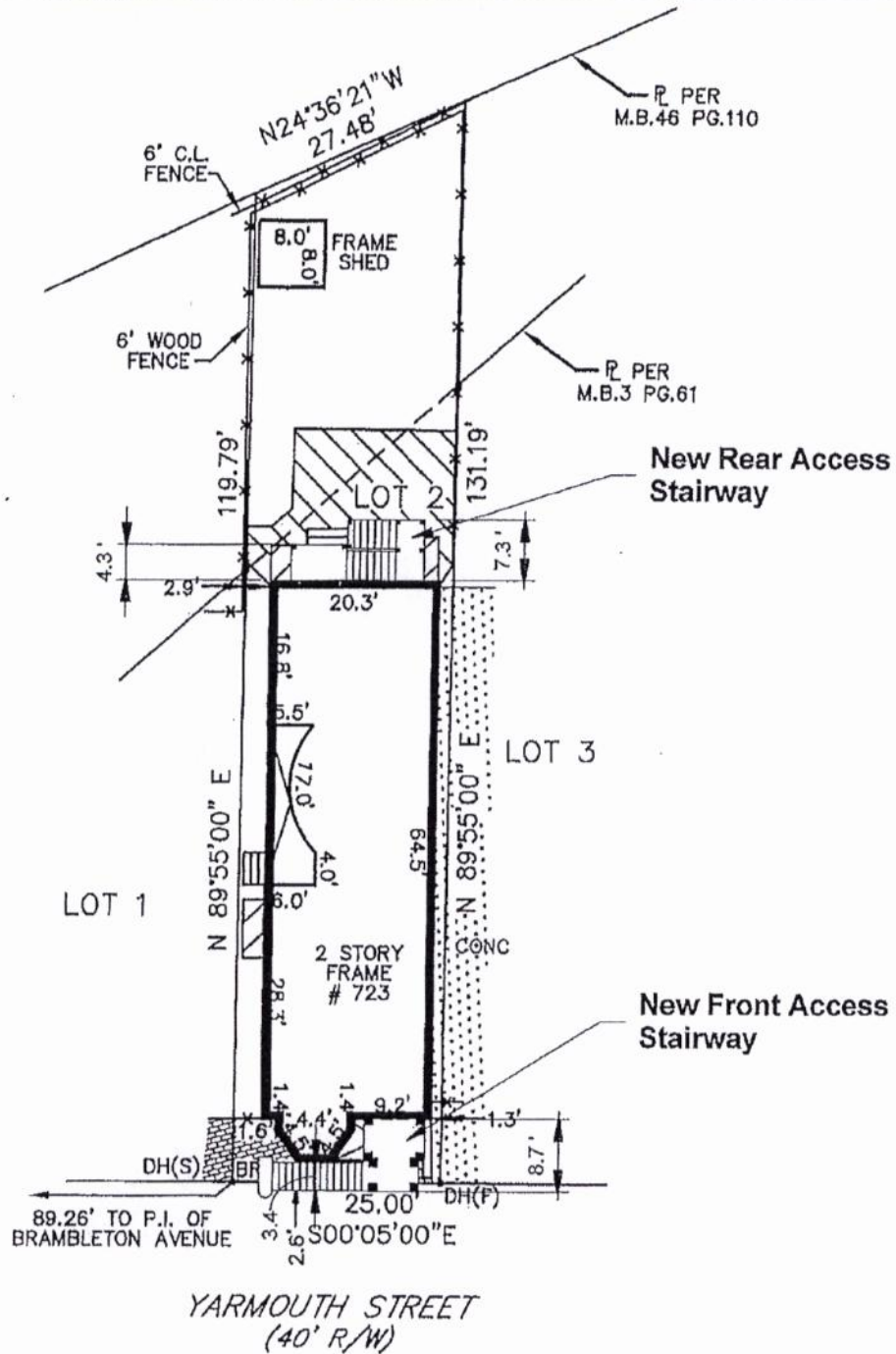
FLOOR PLAN - PORCH + STAIRS
1/4" = 1'-0"



CONCEPT SKETCHES
1/4" = 1'-0"

CITY OF NORFOLK - MOSS RESIDENCE
116 Range Road, Norfolk, VA 23504
3/10/14
#44-23-146-3/10
APPROVED FOR THE DESIGN REVIEW PROCESS
BY THE CITY ENGINEER
DATE: 3/10/14

EXHIBIT A2 TO ORDINANCE



GRAPHIC SCALE: 1" = 20'-0"



Cannon + Mackenzie Moss

CITY OF NORFOLK - MOSS
RESIDENCE

Site Layout - New Work

Project number	12005-5	SK-100
Date	7.16.2014	
Drawn by	Author	
Checked by	Checker	Scale 1" = 20'-0"

EXHIBIT A3 TO ORDINANCE



VIA design architects, pc

EXISTING PROJECT CONSTRAINTS

Site Survey - Enlarged

PROJECT UNDERSTANDING

